

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

**Jeff Wayne Frye,**

**Civil No. 05-1327 (JNE-JJG)**

Plaintiff,

v.

**ORDER**

**Minnesota Department of Corrections, et al.,**

Defendants.

---

This matter is before the undersigned upon the report and recommendation of the United States Magistrate Judge. No objections have been filed to that report and recommendation in the time period permitted. Based on the report and recommendation of the Magistrate Judge, and being duly advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Frye's motions for default judgment (Doc. Nos. 118, 119, 120, 121, 136, 170, 171) are **DENIED AS MOOT.**
2. The medical defendants' motion for summary judgment (Doc. No. 146) is **GRANTED.**
3. The motion by the medical defendants, Pederson, and Anthony for dismissal as a discovery sanction (Doc. No. 260) is **DENIED AS MOOT.**
4. Anthony's motion to dismiss, or in the alternative, for summary judgment (Doc. No. 275) is **GRANTED.**
5. The state defendants' motion to dismiss, or in the alternative, for summary judgment (Doc. No. 278) is **GRANTED.**
6. Pederson's motion to dismiss, or in the alternative, for summary judgment (Doc. No. 289)

is **GRANTED**.

7. All claims in this matter are **DISMISSED WITH PREJUDICE** and this matter is dismissed in its entirety.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated this 28th day of August, 2007.

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Court Judge